

TEMPORARY

ASSIGNED  
58514 T

Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 3 1993

Returned to applicant for correction

Corrected application filed Map filed FEB 3 1993 under 58514-T

The applicant FirstMiss Gold Inc.

P.O. Box 220 of Golconda City or Town

Nevada 89414 State and Zip Code No. hereby make<sup>s</sup> application for permission to change the

point of diversion, manner of use and place of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Certificate No. 2757, previous permit No. 10369.

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is S-524 Vertical Shaft Spring (now mined through, see Attachment 1. Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.177 c.f.s. Second foot equals 448.83 gallons per minute.

3. The water to be used for mining, milling, dewatering Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining, milling Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW 1/4 SE 1/4 of Section 33, T39N, R42E Describe as being within a 40-acre subdivision of public survey and by course and

M.D.B.&M.; beginning at the SE corner of said Section 33 to a point bearing distance to a section corner. If on unsurveyed land, it should be stated.

N 68° 32' 55" W a distance of 2272.6 ft; water is to be diverted from a pit perimeter well known as PW-2.

6. The existing permitted point of diversion is located within NE 1/4 NW 1/4 of Section 4 T38N, R42E If point of diversion is not changed, do not answer.

from the collar of a vertical shaft now mined through, at a point from which

NWC of Sec 4 bears S 89° 11' W a distance of 2035 feet; see Attachment 1.

7. Proposed place of use 21, 22, 23, 26, 27, 28, 29, 32, 33, 34 in T39N, R42E; and Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

within Sections 3, 4, 9, 10 in T38N, R42E, M.D.B.&M.

8. Existing place of use a mill (no longer existing) in SE 1/4 NW 1/4 of Section 33, Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

T39N, R42E M.D.B.&M.

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year. Month and Day Month and Day

10. Use was permitted from January 1st to December 31st of each year. Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) drill 700 foot well, case, and install

State manner in which water is to be diverted, i.e. diversion structure.

pump and piping.

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$95,000.00

13. Estimated time required to construct works 3 weeks

(temporary change)

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The estimated consumption of water pumped from the point of diversion is 41.76 million gallons per annum. The total consumption of water under permits 29075, 10370, 10369, 52476, 45731, 53015, and 45730 shall not exceed 584.99 million gallons per annum.

By s/John Barta  
P.O. Box 220  
Golconda, NV 89414

Compared pm/se pm/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:  
This temporary permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 10369, Certificate 2757 is issued subject to the terms and conditions imposed in said Permit 10369, Certificate 2757 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.  
This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.  
The issuance of this temporary permit does not waive the requirements that the temporary permit holder obtain other permits from State, Federal and local agencies.  
The total combined duty of water under Permits 10369, Certificate 2757; 10370, Certificate 2758; 28758, 28759, 45730, 45731, 45732, 49815, 52746, 53015, 53030, 58514-T, 58515-T, 58516-T and 58517-T shall not exceed 799.75 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.177 cubic feet per second, but not to exceed 41.75 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....  
Proof of beneficial use filed.....  
Cultural map filed.....  
Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 5th day of March

A.D. 19 93  
*R. Michael Turnipseed*  
State Engineer

EXPIRED  
DATE MAR 5 1994

(PERMIT TERMS CONTINUED)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on March 5, 1994 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

Attachment 1  
PERMIT APPLICATION NO. 58406

January 22, 1993

Description of Source of Water

The gold and silver ores have been mined at the Getchell Mine using both surface and underground mining methods. Underground methods often gain access to the ore by way of vertical openings or shafts such as the S-524 shaft. FirstMiss Gold pumped water from this shaft as surface mining progressed and deepened the pit eventually mining through the bottom of the shaft.

Although the source is described as a "Shaft Spring" on certificate No. 2757, the shaft acted in the same manner as a large diameter well producing water from underground. FirstMiss Gold's application No. 58406 submits to move this appropriation of underground waters to well PW-2 at the perimeter of the pit.

Description of Existing Point of Diversion

Certificate No. 2757 was issued in 1943 referencing a bearing of S 89 degrees 11' W to the NWC of Section 4, T38N, R42E. The brass caps for section corners were reset by the U.S. Bureau of Land Management in the 1960s. FirstMiss Gold references the reset NWC of Section 4, T38N, R42E; however, the northerly section line from the NWC to the NEC of said Section 4 now bears N 89 degrees 19' 18" E. The point of diversion stated on the certificated referenced to the NWC of said Section 4 places the existing point of diversion approximately 4 feet within Section 33, T39N, R42E using the brass caps now in place. The apparent discrepancy between the certificated point of diversion and the existing point of diversion shows on permit application No. 58406T is best explained by the relocation of the corner section brass cap since certificate 2757 was issued, and by the understanding that the S-524 shaft was effectively located on the section line.